INDEX

Abbreviations, Acronyms and Short Forms Used: AIDS, acquired immune deficiency syndrome; ASIL, American Society of International Law; CEDAW, Convention on the Elimination of All Forms of Discrimination Against Women; CIDIP, Inter-American Specialized Conferences on Private International Law; EBRD, European Bank for Reconstruction and Development; GATT, General Agreement on Tariffs and Trade; ICJ, International Court of Justice; ICTY, International Criminal Tribunal for former Yugoslavia; NGO, nongovernmental organizations; NAFTA, North American Free Trade Agreement; OHR, Office of the High Representative; UN, United Nations; UNTAET, United Nations Transitional Administration in East Timor; WTO, World Trade Organization.

Academia, ethnomedical research by, 156–9
Acheson, Dean, role in international law, 19, 118–21
Adams, John, on international law, 106
Addis, Adeno, Looking At Economic Sanctions From the Corner, 23–4
Administrative Procedures Act, 119
Admiralty courts, 101–2
Afghanistan: economic sanctions, 23–7; U.S. government policy on, 304
Africa: folklore protection, 145; Leadership and Advocacy for Women in Africa Program, 192; tribal-origin patents of pharmaceuticals, 154–5; World Bank database of indigenous knowledge, 144–5
African Commission on Human and Peoples' Rights, 186
Aginam, Obijiofor, Global Public Health Issues, 58–64
Aging, public health concerns and, 70
Aiding Violence? The Development Enterprise and Ethno-National Conflict, 280–7
AIDS. *See also* pharmaceutical industry; public health issues: affordable drugs for, 64, 68, 160–1; health and human rights approach in Africa, 66–7
Al-Amin Kalifa Fhima, 213–14
Alcoa case, 174
Alien Tort Claims Act: creation of, 42; judicial views of, 28, 31
Alien Tort Claims and Business Liability, 42–9
Al-Megrahi, Ali Mohammed, 213–14
Alvarez, Jose E., *Rems.*, 139
Amazonia, tribal-origin patents of pharmaceuticals, 154–5
American Bar Association, call for Internet standards by, 180
American Political Science Review, 272, 274
(The) American Society of International Law: The President's Round Table, 13–22
American Society of International Law (ASIL). *See also* international law: development of international lawyers by, 13–15; Grotius lecture, 1–12; Judicial Outreach Program, 28; President's Round Table, 13–17
American University, 190–1
America's Vital Interest in Global Health (U.S. Institute of Medicine), 64
Amicus briefs: for human rights petitions, 85; for investor-state disputes, 201
Andean Pact countries, intellectual property protection in, 143, 146
Annan, Kofi, on humanitarian intervention, 226
Apartheid laws, international law and, 29–30

Appleton, Barry, *Rems.*, 196–8
Arbitration agreements: control and appeal using NAFTA Chapter 11, 207–9; enforceability of agreements, 32; influence of Jay Treaty on, 204; interpreted according to New York Convention, 28; provisions of NAFTA Chapter 11, 205–7; rules for investor-state disputes, 201
Argentina: ethnomedical publications in, 157; *Laguna del Desierto* arbitration, 126
Aron, Raymond, on international law, 272
Atik, Jeffery C., A Law and Economics Approach, 26
Australia: *Brevington v. Godelman*, 292; *Southern Blue Fin Tuna Fishing* case, 136; tribal-origin patents of pharmaceuticals, 155; UNTAET agreement with, 252, 257
Austria, Holocaust claims resolution in, 41
Azerbaijan, boundary agreement of, 125

Babcock v. Jackson, 291, 294
Bahrain, *Qatar v. Bahrain* case, 126–8
Bailyn, Barnard, on political pamphlets, 105
Balkan states, participation by NGOs in the, 300–4
Barsh, Russel Lawrence, Who Steals Indigenous Knowledge?, 153–61
Bartlett, Katharine, on feminist legal methods, 24
Basel Convention on the Transboundary Movement of Hazardous Waste, 184
Battlefield ethics, Jewish law on, 93–4
Bavaria, *CompuServe* case, 174, 179
Bayefsky, Anne F., Direct Petition in the UN Human Rights Treaty System, 71–5
Belarus, involvement in Holocaust claims resolution, 39
Belligerents, insurgents recognized as, 115
Berne Convention on Copyright, 145
Bettauer, Ronald J., Holocaust Claims, 37–41
Bible, 94–5
Bin Laden, Osama, 26
Biological Abstracts, 156
Biotechnology, intellectual property and, 67–8
Boisson de Chazournes, Laurence, The Role of the New International Adjudicator, 129–35
Borek, Jami Selby, *Rems.*, 218
Borgen, Christopher J., Judicial Views of International Law, 28–34
Bosnia and Herzegovina: admitted to EBRD, 249–50; Constitutional Court of, 254–5; human rights abuses in, 246; *Kadić v. Karadžić*, 28, 42–3; OHR in, 228–32, 252–5; safe areas in, 251
Bosnian War, 229. *See also* Federal Republic of Yugoslavia
Bothe, Michael, *Rems.*, 232
Boundary Disputes into the Twenty-First Century: Why, How . . . and Who?, 122–8
Boundary issues: arbitration of, 13; blurred by Internet, 173; disputes involving, 122–8
Boutros-Ghali, Boutros, on Fourth World Conference on Women, 301
Boys v. Chaplin, 293
Bradlow, Daniel D., The Role of the World Bank in Postconflict Situations, 236–40
Brazil, ethnomedical publications in, 157
Brčko, Bosnia and Herzegovina, 228–32, 252–5
Brevington v. Godelman, 292
Brezhnev Doctrine (1968), 15

British Broadcasting Company, coverage of *Lockerbie* trial, 214
Brownlie, Ian, *Rems.*, 13–15
Broyde, Michael J., Rabbi, Battlefield Ethics in the Jewish Tradition, 92–8
Burma: *Doe v. Unocal Corp.*, 43–8; foreign policies of U.S. state governments, 50, 56; oil exploration in, 306, 309
Business liability, principles of Alien Tort Claims Act and, 42–9. *See also* corporations; individual case names

Cambodia, United Nations intervention in, 234
Canada. *See also* North American Free Trade Agreement: Chapter 11 arbitration in, 201, 202; Foreign Direct Investment inflows to, 199; *Gulf of Maine* case, 128; human rights complaints in, 72; International Joint Commission, 116; investor-state disputes in, 197–8, 200; Land Mine Ban Treaty, 299; land transferred by France, 104; tort law in, 294
Can They Hear You When You Cry? (Kassinkja), 191
Caribbean Law Initiative, 191
Caroline case, 130
Carr, E.H., on international law, 272
Catholic Church, views on Middle East peace process, 87–92
CEDAW. *See* Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
Central America, tribal-origin patents of pharmaceuticals, 155. *See also individual country names*

Cerna, Christina M., The Inter-American System for the Protection of Human Rights, 75–9
Chace, James, 118
Child Online Protection Act, 179
Chile: *Laguna del Desierto* arbitration, 126; *Pinochet* case, 139–42, 255, 256
China: bombing of U.S. embassy in, 5; Fourth World Conference on Women, 301–4; Levi Strauss operations in, 308–9; traditional medicine of, 154; US spy plane incident, 216, 271
Chinkin, Christine, 296
Cholera epidemics, 61
Chopra, Jarat, *Rems.*, 220
Christiansen, Drew, Father, An Outsider's View of International Law in the Israeli-Palestinian Conflict: A Roman Catholic Perspective, 88–92
CIDIP. *See* Inter-American Specialized Conferences on Private International Law (CIDIP)
CISET Working Group. *See* Working Group on Emerging and Re-emerging Infectious Diseases, 62
Citizens in the International Realm: The New Participatory Demands, 162–72
Civil and Political Covenant, 71, 73
Civilian immunity, 89; Catholic view of, 89, 91; Jewish law on, 96–8
Clients: effect of courtroom cameras on, 212–13; of investor-state disputes, 200; perspective of, 193–5
Clincy, Mieke J., An Interview with Oscar Schachter, 18–22
Clinic for Asylum, Refugee and Emigrant Services, 188–9
Clinton administration, policy during Kosovo intervention, 8–10

Cloning, human, 65, 68
Cold War, end of: conflict prevention, 225; global reform opportunities, 164–5; international legislation growth, 132
Colombia, U'wa indigenous people of, 306
Commentaries on American Law (Kent), 100
Commerce Clause, 52
Communications. *See* Internet; mass media; technology
(The) Complex Role of the Legal Advisor When International Organizations Administer Territory, 251–61
Compuserve v. Patterson, 174, 179
Computer hacking, 181–2
Computer presentations, at tribunals, 128
Conference on Jewish Material Claims Against Germany, 39, 41
Constitutional Court of Bosnia and Herzegovina, 254–8
Control Council Law No. 10, 25, 47–8
Convention on International Trade in Endangered Species, 184
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 74, 301
Corell, Hans: *Rems.*, 234; The Visible College of International Law: "Towards the Rule of Law in International Relations," 262–70
Corporations: accountability movement for, 43–4; influence of NGOs on, 304–9; principles of Alien Tort Claims Act applied to, 42–9
Costa Rica: intellectual property protection, 146; *Santa Elena S.A. and Costa Rica* investor-state tribunal, 197
Council of Europe, 182
Council on Responsible Genetics, 68
Crimes of War: What the Public Should Know (Crimes of War Project), 217
Crimes of War Project, 217
Criminal law, applications to international law, 140–1, 255, 265
Croatia, human rights abuses in, 30, 246
Croll v. Croll, 32
Crook, John R., on Dean Acheson and International Law, 118–21
Crosby case, 51
Crow, Melissa, *Rems.*, 44–7
Cultural issues, perspective of clients and, 193–5
"Cyber law," 33. *See also* Internet
Czech Republic, involvement in Holocaust claims resolution, 39

Daes, Erica-Irene: effort to help indigenous peoples, 151; Intellectual Property and Indigenous Peoples, 143–50
Damrosch, Lori Fisler, Presidents, Secretaries of State, and Other Visible International Lawyers, 15–17
Danzig, territorial administration of, 259–60
Dayton Peace Accords: dispute settlement by, 13; Office of High Representative in Brčko, 228–32
Dean Acheson and International Law, 118–21
(The) Death of Competition: Leadership and Strategy in the Age of Business Ecosystems (Moore), 266–7
De Jure Belli ac Pacis (Grotius), 100

De Jure Maritimo et Navali (Molloy), 101–2
Death penalty: as human rights issue, 78; in South Africa, 30
Denmark, *Jersild* case in, 184, 187
Dickinson, John, pamphleteer, 105–6
Diller, Janelle M., On the Possibilities and Limitations of NGO Participation in International Law and Its Processes: Corporate Applications, 304–9
Disabilities, public health and, 70
Discovery in the United States in the Assistance of Foreign Proceedings, 28
Dodge, William S., *Rems.*, 207–9
Does Method Matter?, 23–7
Doe v. Unocal Corp., 43–8
Double actionability theory, 291–4
Due process theory, 298
Duke University School of Law, 189–90

Earth Summit, 143
Eastern Europe, participation by NGOs in the, 300–4
Eastern Greenland case, 130
East Timor: ICJ case, 136; UNTAET, 149, 251–2, 255–8
Economic Botany, 156
Economic Commission for Europe Preparatory Conference, 302
Economic matters: in boundary disputes, 123–6; intellectual property and indigenous peoples, 143–50; pharmaceutical development and profit, 159–61
Economic sanctions: against Iraq, 89; by United Nations Security Council, 23–7
Edelman, Diane, *Rems.*, 188–93
El Amparo case, 77
Elihu Root and Crisis Prevention, 115–21
El Salvador, UN missions in, 149
Elshtain, Jean Bethke, The Third Annual Grotius Lecture: Just War and Humanitarian Intervention, 1–12
Emerging infectious diseases. *See* public health issues
England: cameras banned in courtrooms, 214; corporate accountability movement in, 43–4; international tort law in, 291–4; Jay Treaty (1794), 202–5; land ceded to, 104; Lend Lease Agreement, 119; Parliament, colonial era, 102, 104; role in World Bank, 236; Treaty of Peace (1783), 107–8; Treaty of Whitehall, 103
Environment treaties, conflict with trade treaties, 184
E-Parliament initiative, 163
Equal Protection Clause, 52
Eritrea, arbitration with Ethiopia and Yemen, 13, 125
Ethiopia, arbitration with Eritrea, 13
Ethnomedicine, 154–61
Ethyl Corp. v. Canada, 207, 208
European Bank for Reconstruction and Development (EBRD), 245–50
European Court of Human Rights, 180; individual petition in, 79; *Jersild* case, 184, 187; jurisprudence, 29
European Court of Justice, 184
European folk medicine, 154
European Parliament, fairness discourse in, 171
European Union: banana dispute, 184; Government Procurement Agreement, 56

Evans, Gareth, *Rems.*, 221–7, 233–5
Evidence, for boundary disputes, 126–7
Exterritorial equity liability, 306

Fairness in Fairness Discourse, 167–72
Fairness in International Law and Institutions (Franck), 164, 296
Falk, Richard, A Decade of Lost Opportunities, 164–6
Farrand, William, *Rems.*, 228–32, 235
(The) Federalist Papers, 203
Federal Republic of Yugoslavia. *See also* International Criminal Tribunal for the Former Yugoslavia; individual city and province names; admitted to EBRD, 245–50; collapse of former Yugoslavia, 246; World Bank in, 243–5
Female genital mutilation, 67, 191. *See also* public health issues; womens rights
"Feminist Legal Methods" (Bartlett), 24
Feminist Majority, 304
Ferencz, Benjamin B., International Trials for Internal Armed Conflicts, 35–6
Fidler, David, 65
Financial matters. *See also* World Bank: in boundary disputes, 123–6; expense of conflict prevention, 221; expropriation debate, 196–8; international loan contracts, 290; International Monetary Fund, 274; Monetary Gold principle, 136; settlements for Holocaust victims, 37–41
Florida Coastal University, 191
Foreign Direct Investment, 199
Foreign Sovereign Immunities Act, 45–6
Forum non conveniens, 28
Fox, Gregory H., International Organizations: Conflicts of International Law, 183–7
Framework Convention on Tobacco Control, 69
France: Canada territory transferred by, 104; Consular Convention with, 111; Holocaust claims resolution in, 41; magistrate de liaison position, 29; role in World Bank, 236; Treaty of Whitehall, 103; *Yahoo* case, 178–80
(Dr.) Francis Lieber and the Lieber Code, 112–15
Franck, Thomas M.: Fairness in Fairness Discourse, 167–72; *Fairness in International Law and Institutions*, 163–4, 296
François-Xavier Bagnoud Center for Health and Human Rights, 65
Frankfurter, Felix, mentor to Acheson, 119
Freedom of the press, 214
Free speech cases, 178–80
French Union of Jewish Students, 178

Gabčikovo-Nagymaros case, 133, 137
G-7 countries, domination of World Bank, 236
General Agreement on Tariffs and Trade (GATT), 53; appeal process, 209; prohibits restrictions on trade, 184; violations by pharmaceutical companies, 161; World Trade Organization system, 278
General Agreement on Trade in Services, 53, 55
Genetic Bill of Rights, 68
Genetics research, 161
Geneva Protocol No. I, just war thinking codified by, 6
Gentili, Alberico, 100

Geographic filtering, of Internet, 178–80
Georgetown University Law Center, 192–3
Germany: payments to victims of Nazi era, 37, 39–41; Princz agreement, 37–8; role in World Bank, 236
Gibson, Christopher, *Rems.*, 175–7
Global parliament, call for, 166
Global Public Health Issues, 58–70
Goldstone, Richard, judicial views of, 28–34
Golove, David, The Hamiltonian Constitution and Foreign Affairs, 107–11
Government Procurement Agreement, 53–7
Greenberg, Marcia, NGO Participation in International Law and Its Processes: An Eastern European Case Study, 300–4
Greenpeace, 5
Grenada invasion, 216
Griffith, Gavan, *Rems.*, 135–8
Grotius, Hugo, 100
Grotius Lecture, 1–12
Guatemala, UN missions in, 149
Guerrilla Parties Considered with Reference to the Laws and Usages of War (Lieber), 113
Gulf of Maine case, 128
Gutman, Roy, *Rems.*, 217–19
Guyana, oil exploration off-shore from, 124

Hague Convention on Child Abduction, 31
Hague Conventions, interpretation of "international wars," 115
Haiti, peacekeeping efforts in, 220
Halleck, Henry, influence on Lieber Code, 113–14
Hamilton, Alexander: influence on constitutional law, 107–11; role in Jay Treaty, 203, 204
Hanlan v. Sernesky, 294
Harvard Draft Convention on the International Responsibility of States for Injuries to Aliens, 196
Health and Human Rights: The Expanding International Agenda, 64–70
Health and human rights approach, 65–7
Health issues. *See* public health issues
Heathcote, Sarah, The Role of the New International Adjudicator, 129–35
Held, David, work on cosmopolitan democracy, 299
Herz, Richard, *Rems.*, 47–8
HIV. *See* AIDS
HIV/AIDS and Human Rights: International Guidelines (United Nations), 66–7
Holmes, Oliver Wendell, 100
Holocaust Claims, 37–41
Human rights. *See also* peacekeeping efforts; women's rights: abuses in former Yugoslavia, 246; Alien Tort Claims Act, 42–9; autonomy of petitioners, 77–80; Catholic view of, 89; Clinic for Asylum, Refugee and Emigrant Services, 188; corporate accountability, 43–4; crimes perpetrated by the Rwanda Patriotic Front, 284–5; European Court of Human Rights, 79–82; inter-American system for, 75–9; International Women's Human Rights Clinic, 192–3; judicial legislation of, 133; just war intervention, 7; KARAT Coalition involvement, 301–4; petitioning the United Nations, 71–5, 82–6; public health and, 64–70; violations exposed by Internet, 174

Human Rights and Direct Petition, 71–86
Hungary v. Slovakia, 137
Hussein, Saddam, Persian Gulf War and, 4
Hydrocarbon reserves, effect on boundary disputes, 123–6

Ignatieff, Michael, 11
India: Ayurvedic medicine, 154; ethnomedical publications in, 157
Indigenous peoples: access to legal services for, 145; effect of globalization on, 143–5, 151–3; intellectual properties of, 145–7, 153–61; protecting rights of, 147–50; representation of, 169; U'wa affected by oil drilling, 306
Indonesia, relationship to East Timor, 251–2
(The) Inevitability of Peace Operations?, 220–35
Information and communication infrastructure, 181–2
Institute of Development Studies, 69
Intellectual property: accountability of private entities, 148–9; biotechnology and, 67–8; diplomatic negotiations and, 145–7; effect of globalization on indigenous peoples and, 143–5, 151–3; Internet availability of, 173–5; law enforcement for, 149–50; pharmaceutical industry and, 153–61; United Nations systems and, 147–8
Intellectual Property and Indigenous Peoples, 143–61
Inter-American Commission, 76–7
Inter-American Court of Human Rights, 75–7
Inter-American Specialized Conferences on Private International Law (CIDIP), 288–91
Intergovernmental Policy Advisory Committee, 55
International Bank for Reconstruction and Development, 240–1. *See also* World Bank
International Convention Against Genocide, 150
International Convention on the Elimination of All Forms of Racial Discrimination, 74
International Cooperative Biodiversity Groups, 155–6
International Council of Societies of Industrial Design, 197, 208
International Court of Justice: judge selection for, 117; as "the constitutional court," 133
International Court of Justice (ICJ). *See also individual case names*: case law availability on Internet, 174; caseload of, 13–15, 129; international dispute resolution procedures, 137; *North Sea Continental Shelf* case, 125, 126; U.S. withdrawal from, 216
International Covenant on Civil and Political Rights, 71, 73
International Criminal Court, 137; indigenous peoples, 147–8; in Rome, 268
International Criminal Tribunal for Rwanda: criminal liability established, 48; judicial view of, 29–30
International Criminal Tribunal for the Former Yugoslavia (ICTY): criminal liability established, 48; electronic broadcast coverage of, 210–15; judicial view of, 29–30; legislative function of, 133–4; media portrayal of, 217; recognized influence of Lieber, 115; *Tadić* case, 115, 133
International Crisis Group, 221, 223–4
International Development Association, 240–1. *See also* World Bank
International Development Clinic, Duke University School of Law, 189–90
International Finance Corporation, 240–1. *See also* World Bank
International humanitarian law. *See also individual tribunal names*: legality of UN missions and, 255–8; mass media portrayal of, 217; World Bank and, 237–9
International Human Rights Law Clinic, Washington College of Law, American University, 190–1

International Institute for the Unification of Private Law, 290
International Joint Commission, with Canada, 116
International law. *See also* international lawyers: Acheson and, 118–21; bilateral investment treaties, 198–202; British tort law and, 291–4; broadcast coverage in courtrooms, 210–15; citizens' participation in, 162–4; criminal law applications to, 140–1, 255, 265; critiques on international relations, 276–8; expropriation debate, 196–8; Hamilton and, 107–11; historical perspective, 99–106; international relations collaboration, 271, 273–5; judicial function of, 137; judicial views of, 28–34; Lieber Code, 112–15; lost opportunities in, 164–6; mass media portrayal of, 216–19; public vs. private processes, 149–50, 200; regime theory and, 273; representational reform, 167–72; role of federal and state legislators, 50–7; rule of law in international relations, 262–70; specialties of, 20; treaty conflict, 183–7; universalism of, 21; vertical structure of, 184
International Law and International Relations: Scholarship at the Intersection of Principles and Politics, 271–9
International Law and the Work of Federal and State Legislators, 50–7
International lawyers: clinical law for, 188–93; education of, 32–3, 100, 269–70, 279; international law offered in political science programs, 279; "invisible college" of, 18–22; teaching perspective to, 193–5
International maritime law, 101–2. *See also* Law of the Sea
International Military Tribunal, 35
International Monetary Fund: international law compliance and, 274; NGO participation in programs by, 296
International Organizations: Conflicts of International Law, 183–7
International Practice Clinic, 191
International relations: collaboration with international law, 273–5; critiques on international law, 275–6; historical perspective of, 99; relationship to international law, 271; rule of law in, 262–70; theory of, 25–6, 272–3
International Sanitary Conference (1851), 60–2
International trade secretariats, 307
International Trials for Internal Armed Conflicts, 35–6
International Tribunal for the Law of the Sea, 129, 133
International War Crimes Prosecution Project, 192
International Women's Human Rights Clinic, 192–3
Internet. *See also* mass media; technology: broadcasting trials via, 214–15; "cyber law" and, 33; domain names, 176; effect on indigenous peoples, 143–5; E-Parliament initiative, 163; impact on international law, 173–82; information and communication infrastructure, 181–2; search engines, 175–6; *Yahoo* case, 178–80
Internet Corporation for Assigned Names and Numbers, 176
Inter-Parliamentary Union, 163
(An) Interview with Oscar Schachter, 18–22
Investment Disputes and NAFTA Chapter 11, 196–209
Iran-Saudi Arabia agreement (1968), 124
Iraq: economic sanctions against, 89; Persian Gulf War, 4–6
Israel: Middle East peace process, 87–98; role in Holocaust claims resolution, 39
Italy, human rights cases in, 80–1

Japan: role in World Bank, 236; *Southern Blue Fin Tuna Fishing* case, 136; Treaty of Peace, 118

Jay, John, role in Jay Treaty, 203–5
Jay Treaty, 110, 202–5
Jelavić, Ante, 253
Jersild case, 184, 187
Jerusalem, future of, 91–2
John Paul II, on Middle East peace process, 89–91
Johnson and Graham's Lessee v. McIntosh: 104
Journal of Ethnopharmacology, 156
Journals. *See also* mass media: medical, 156–7; political science, 272, 274, 275, 279
Judaism: Holocaust claims for victims, 37–41; Jewish law regarding battlefield ethics, 87, 92–8
Judges: effect of courtroom cameras on, 212; limitations of, 135; role of, 129–35; selection for International Court of Justice, 117; transjudicial communications, 139; views on international law by, 28–34
Judicial Views of International Law, 28–34
Just war theory: accountability by leaders, 35; Catholic views on, 89; examples, 3–9; Lieber Code, 112; restraint and, 10–12; tradition of, 1–3

Kadić v. Karadžić, 28, 42–3
Kagame, Paul: Rwandan domination by Rwanda Patriotic Front, 281, 284; United States position on, 282
Kahn, Paul W., 8–9
Karadžić, Radovan, role in Bosnian War, 42–3, 229
KARAT Coalition, 301–4
Kassindja, Fauzyia, 191
Kazakhstan, boundary agreement of, 125
Kende, Mark, *Rems.,* 178–80
Kennedy, Anthony, 162
Kent, James, influences on American law, 100
Khalidi, Rashid, on Middle East peace process, 87–8
Kohl's, boycott against, 306
Korea, Acheson's role in, 119
Kosovo: humanitarian intervention for, 6–10, 246; justification for military action, 225; peacekeeping efforts in, 220; UN mission in, 251; World Bank in, 240, 243–5
Kuruk, Paul, on folklore protection, 145

LaGrand case, 130
Laguna del Desierto arbitration, 126
Lake, Anthony: *Six Nightmares,* 263; on U.S. sovereignty, 267
Land Mine Ban Treaty, 299
Language: domain names, 177; interpreting multilingual agreements, 32; requirements for treaty petition system, 74, 84
Lannan, Kathleen, The OAS Perspective, 288–94
Law enforcement: intellectual property protection, 146; in *Pinochet* litigation, 140–1
Law of the Sea: International Tribunal for the, 129, 133; treaty conflict, 184; United Nations Convention on, 136, 268–9
Law Revision Commission, 229

Law schools: clinical law programs, 188–93; education of international lawyers, 269–70; international law offered in political science programs, 279; teaching perspective in, 193–5
Lawyers, effect of courtroom cameras on, 212
League Against Racism and Anti-Semitism, 178
League of Nations: organization of, 168; Permanent Court of International Justice created, 117; territorial administration by, 259–60
Legal services, access for indigenous peoples, 145
Legum, Barton, *Rems.*, 202–5
Lend Lease Agreement, Acheson's role in, 119
Letters from a Farmer in Pennsylvania (Dickinson), 105–6
Levi Strauss, operations in China, 308–9
Libya: *Lockerbie* trial, 213–14; *Tunisia/Libya Continental Shelf* case, 125
Lieber Code, 112–15
Lincoln, Abraham: adhered to international law, 106; Lieber Code approval by, 112
Lockerbie trial, effect of courtroom cameras in, 213–14
Loizidou case, 13–14
Lord, Janet E., On the Possibilities and Limitations of NGO Participation in International Law and Its Processes, 295–300
Lowe, Vaughan, *Rems.*, 139–42

Machado v. Fontes, 292–3
MacKenzie, Denyse, *Rems.*, 198–202
Madrid Protocol to the Antarctic Convention, 184
Marasinghe, Lakshman, Recent Developments in International Tort Law in the British Commonwealth of Nations, 291–4
Maritime boundary agreements, 123, 124
Marks, Stephen P., Health and Human Rights: The Expanding International Agenda, 64–70
Marshall, John, influence on international law, 104, 106
Marshall Plan, 118
Mason, Paul, Justice Seen to Be Done? Electronic Broadcast Coverage of the International Criminal Tribunal for the Former Yugoslavia, 210–15
Massachusetts, Burma law and, 50–1, 56
Mass media. *See also* Internet; journals; technology: attention to human rights claims, 72–3; electronic broadcast coverage of ICTY, 210–15; portrayal of international law, 216–19
Mathews, Jessica Tuchman, "Powershift" article by, 164
McKain v. R.W. Miller & Co. (SA), Pty., Ltd., 293
McNeil, William H., 58–9
(The) Media's Portrayal of International Law, 216–19
Medical discoveries, of indigenous peoples, 154
Medical journals, reports on ethnomedicine, 156
Medicine and Related Substances Control Act, 64
MedLine, 156
Mental health, public health and, 70
Metalclad case, 198, 208
Methanex case, 201

Mexico. *See also* North American Free Trade Agreement (NAFTA): ethnomedical publications in, 157; *Metalclad* case, 198, 208
Middle East peace process: Catholic view of, 87, 90–2; Jewish law and, 87, 92–8; religious and social ethical perspective, 87–98
Millennium Declaration, 265
Miller, Richard, on humanitarian intervention, 11–12
Miller v. Albright, 38
Milošević, Slobodan, role in Kosovo, 7, 17, 217
Ministers for Foreign Affairs, 14
Missouri v. Holland, 100, 108
Molloy, Charles, 101–2
Monetary Gold principle, 136
Montreal Protocol, 184
Moore, James F., business/nature parallel cited by, 266–7
Morbidity, reduction of, 66–7
Morgenthau, Hans, on international law, 272
Morison, Samuel Eliot, 103
Multilateral Agreement on Investment, 148
Multilateral Investment Guarantee Agency, 240–1. *see also* World Bank
Multinational enterprises, growth of, 304–9
Murphy, Sean D.: *Rems.*, 107; The U.S. Lawyer-Statesman at Times of Crisis: A Look at Colonial America, 99–106
M/V Saiga case, 133
Myanma Oil and Gas Enterprise, 45–6
Myles, Kristin Linsley, *Rems.*, 48–9

Nachmonides, 95–6
NAFTA. *See* North American Free Trade Agreement (NAFTA)
Nakajima, Hiroshi, 58
Namibia, territorial administration of, 260
Napster case, 144, 175
National Foreign Trade Council, 56
NATO. *See* North Atlantic Treaty Organization (NATO)
Nauru case, 136
Nazi memorabilia, case against Yahoo, 178–80
(The) New Cyber College of International Lawyers, 173–82
New England School of Law, 192
New York Convention: arbitration agreements interpreted according to, 28; enforcement of arbitration agreements, 32
New York Times, 137
NGO Participation in International Law and Its Processes: An Eastern European Case Study, 300–4
Nicaragua: *Nicaragua* case, 133, 216; sweatshops in, 306
Nigeria: ethnomedical publications in, 157; Shell Oil, 43; *Wiwa v. Royal Dutch Petroleum Company*, 43–5
Nike, factory inspections at, 306
Nongovernmental organizations (NGOs): analyzing participation of, 295–7; Confer-

ence on Jewish Material Claims Against Germany, 39, 41; conflict prevention and, 221, 223–4; Eastern European case study regarding, 300–4; Greenpeace, 5; health and human rights, 65; influence on corporations, 304–9; Land Mine Ban Treaty accomplishment, 299; permanent assembly of, 163; *Pinochet* cases, 139, 140; relational orientation to participation by, 297–8; representation in international negotiations, 169–70; submission of amicus briefs, 85, 148
Noriega, Manuel, media portrayal of, 216
North American Free Trade Agreement (NAFTA), 13; bilateral investment treaties, 198–202; control and appeal in Chapter 11 arbitration, 207–9; environmental and trade treaty conflicts, 184, 185; governing rules in investor-state cases, 201; investment disputes regarding expropriation, 196–8; Jay Treaty compared to, 202–5; "NAFTA's Powerful Little Secret: The Tribunals That Settle Disputes" (New York Times), 137; provisions of Chapter 11, 205–7; "public communications" procedure of, 307; state involvement in international trade, 52, 54
North Atlantic Treaty Organization (NATO): creation of, 118; humanitarian intervention by, 14; Kosovo intervention by, 6–7
North Dakota, NAFTA compliance by, 54
North Sea Continental Shelf cases, 125, 126
Norway, *Eastern Greenland* case, 130
Nova Southeastern University, 191
Nuclear Weapons Advisory Opinion, 129–31, 135–6

Occidental Petroleum, 306
O'Connell, Mary Ellen, on Elihu Root and Crisis Prevention, 115–21
Office of the High Commissioner for Human Rights, 82, 83, 85
Office of the High Representative (OHR): in Bosnia and Herzegovina, 228–32, 252–5; legality of, 256–7
Ohio Legislative Service Commission, 54
Oil industry. *See also individual case names*: boundary disputes and, 123–6; exploratory drilling operations, 306
On the Possibilities and Limitations of NGO Participation in International Law and Its Processes, 295–309
Organization for Economic Cooperation and Development, 280
Organization for Security and Cooperation in Europe, 133, 223, 230, 231
Organization of African Unity, 14
Organization of American States : CIDIP, 288–91; Rights of Indigenous Peoples, 152
Original Meanings (Rakov), 105
Otis, James, 105

Palestinians, Middle East peace process, 87, 90–2
Pamphleteers: on guerrilla warfare, 113; pre-Revolutionary writings of, 104–6
Panama, CIDIP process in, 288
Paraguay, *Filártiga v. Pena-Irala*, 28, 42
Participation and Democratic Theory (Pateman), 297–8
Pateman, Carole, 297–8
Patent system, 154

Paulsson, Jan, Boundary Disputes into the Twenty-First Century: Why, How . . . and Who?, 122–8
Paust, Jordan J., on Dr. Francis Lieber and the Lieber Code, 112–15
Peacekeeping efforts: in Bosnia and Herzegovina, 228–32, 252–5; coercive intervention, 224–7; conflict prevention, 221–4; postconflict development and ethnonational conflict, 280–7; response to crises, 220; Root on crisis prevention, 115–21
Peace Treaty of Paris (1763), 104
Permanent Court of International Justice: *Eastern Greenland* case, 130; Eleanor Roosevelt urged U.S. to join, 106; Statute drafted by Root, 116, 117
Persian Gulf War, 4–6
Peru: intellectual property protection, 146; role in Inter-American Commission, 77
Pfeiffer Pty., Ltd. v. Rogerson, 293
Pharmaceutical Biology, 156
Pharmaceutical industry: availability of affordable drugs, 64, 68, 160–1; intellectual property of indigenous peoples, 153–9; journals of, 156; orphan drugs, 159–61; suit against South Africa, 64
Phillilps v. Eyre, 291
Phillipines, intellectual property protection, 146
Phytomedicine, 156
Pikus, Irwin, *Rems.*, 181–2
Pinochet case, 139–42, 255, 256
Pinochet Revisited, 139–42
Piracy, colonial era, 102
Pistone, Michele, *Rems.*, 193–5
Plagues and Peoples (McNeill), 58–9
PLO Mission case, 110
Poland, involvement in Holocaust claims resolution, 39
Political Ethics (Lieber), 112
Political science education, 274–5, 279. *See also* international relations
Political science journals, 272, 274, 279
Pope & Talbot and Canada investor-state tribunal, 197–8, 208, 209
Portugal, relationship to East Timor, 251–2
Poverty: conflict in low-income countries, 236; Internet and, 174; treating diseases resulting from, 160–1
"Powershift" (Mathews), 164
Preparatory Conference, 302
Prescription drugs. *see* pharmaceutical industry
Present at the Creation (Acheson), 118, 120
Princz, Hugo, sought Holocaust reparations, 37
Princz agreement, 37
Private International Law Act (1995), 294
Private International Law Briefing/Year-In-Review, 288–94
"Prizes" of war, 102
Project on International Courts and Tribunals, 129
Prosecutor v. Tadić, 115
Protected zones, 260
Public health issues. *See also* pharmaceutical industry: affordable drugs, 64, 68, 160–1;

biotechnology and intellectual property, 67–8; emerging infectious diseases, 62; globalization of disease, 58–62; reduction of morbidity, 66–7; social behavior and lifestyle, 68–9

Qatar v. Bahrain, 126–8

Rabatel, Bernard, judicial views of, 28–34
Rademaker, Steve, role in Massachusett's Burma bill, 51
Ragazzi, Maurizio, The Role of the World Bank in Conflict-Afflicted Areas, 240–5
Rakov, Jack, on colonists role in international law, 105
Rambouillet Conference, 13
Recent Developments in International Tort Law in the British Commonwealth of Nations, 291–4
Red Sea Insurance Co., Ltd. v. Bouygues SA, 293
Red Sea Islands arbitration, 13, 15
Reed, Lucy, The Media's Portrayal of International Law, 216–19
Reflections of International Law in Popular Culture, 210–15
Reisman, W. Michael, A New Haven School Look at Sanctions, 27
Religious and Social Ethical Perspective on International Law: The Middle East Peace Process, 87–98
Reno v. American Civil Liberties Union, 178
Reproductive health, 67. *See also* public health issues
Rights of the British Colonies Asserted and Proved (Otis), 105
(The) Role of International Financial Institutions in Postconflict Situations, 236–50
(The) Role of the New International Adjudicator, 129–38
Rome Statute of the International Court (1998), 268
Roosevelt, Eleanor, urged U.S. to join Permanent Court of International Justice, 106
Root, Elihu: ASIL office of, 15–17, 19; on crisis prevention, 115–21
Rosenau, James, work on international governance by, 298–9
Royal Dutch Petroleum. *See Wiwa v. Royal Dutch Petroleum Company*
Rule of law: in international relations, 262–70; postconflict implementation, 228
Rushing, Byron, 51
Russia: boundary agreement of, 125; involvement in Holocaust claims resolution, 39
Rutgers v. Waddington, 108, 109
Rwanda: International Criminal Tribunal for, 48; peacekeeping efforts in, 220; post-conflict problems in, 280–7; World Bank postconflict activities in, 239

Saar, territorial administration of, 259
Safe areas, 260
Sanders, Gerard J., Natural Advantage, Values, and Community: EBRD and the former Yugoslavia, 245–50
Santa Elena S.A. and Costa Rica investor-state tribunal, 197
Saro-Wiwa, Ken, hanging of, 43–5
Saudi Arabia, boundary dispute involving, 123, 124
Schachter, Oscar: on international lawyers of, 13; interview, 18–22
Schaefer, Matthew, Conscientious State Legislators and the Cultures of Compliance and Liberalization Relating to International Trade Agreements, 52–7
Schrijver, Nico, *Rems.*, 259–61
Scotland, broadcast coverage of *Lockerbie* trial, 213–14

S.D. Myers, Inc. and Canada investor-state tribunal, 198, 208
(The) Secretary of State who Created the American World (Chace), 118
Serbia, human rights abuses in, 246
Seventh International Congress of Ethnobiology, 158–9
Sexual health, 67. *See also* public health issues
Shell Oil: policies in Nigeria, 43; *Wiwa v. Royal Dutch Petroleum Company*, 43–5
Shepard Broad Law Center, Nova Southeastern University, 191
Sierra Leone, efforts to create court in, 265
Simmons, Beth A., International Law and International Relations: Scholarship at the Intersection of Principles and Politics, 271–9
Siqueiros, Eduardo, *Rems.*, 205–7
Six Nightmares (Lake), 263
Slaughter, Anne-Marie: An International Relations Theory Approach, 25–6; judicial globalization work of, 31–2; states participating at international level, 50
Slavery, prohibited in United States, 113
Slomanson, William, *Rems.*, 173
Slovakia, *Hungary v. Slovakia*, 137
Slovenia, EBRD support of, 248
Social ethical perspective, 87–8
Somalia, peacekeeping efforts in, 220
Sonderup v. Tondelli and the Family Advocate, 31–2
Sornarajah, Muthu, *Rems.*, 173–5
South Africa: corporate accountability movement in, 43–4; ethnomedical publications in, 157; foreign policies of U.S. state governments, 50; Hague Convention on Child Abduction, 31; International Development Clinic program, 189–90; pharmaceutical companies' lawsuit, 64; relationship to Namibia, 261; role of international law in, 29–30
Southeast Asia. *See also individual country names*: Association of Southeast Asian Nations, 163; indigenous peoples of, 143; shoe factories inspected in, 306
Southern Blue Fin Tuna Fishing case, 136
South West Africa cases, 131
Spain: Florida ceded by, 104; *Pinochet* cases, 141–2
Speech, freedom of, 178–80
Spiro, Peter J., International Law and the Work of Federal and State Legislators, 50–1
Srebrenica, United Nations Security Council activity in, 233, 260
Sri Lanka, World Bank postconflict activities in, 239
Stark, Barbara, UN Sanctions on Afghanistan: A Feminist Perspective, 24–5
Stephens, Beth, *Rems.*, 42–4
Strauss, Andrew, *Rems.*, 162–4
Substance abuse, public health issues of, 69
Surinam, maritime boundary dispute of, 124
Switzerland: bank settlement to Holocaust victims, 37–41; rights of indigenous peoples recognized by, 147

Taft, William Howard, ASIL role of, 15, 17
Taliban: economic sanctions on Afghanistan, 23–7; women's rights violated by, 24–5, 304
Taylor, Stuart, *Rems.*, 216–19
Teaching International Law Interest Group program, 188
Teaching International Law —"The Visible College of International Law Clinicians:

Making a Real Difference in Law School and in the World," 188–95
Technology. *See also* Internet; mass media: computer presentations for tribunals, 128; effect on indigenous peoples, 143–4; globalization of, 165; relevant to boundary disputes, 127
Tel-Oren case, 49
Term Limits case, 162
Territorial administration, 251–61. *See also* Office of the High Representative (OHR)
Terrorism, economic sanctions for, 23
Texas Southern University, 191
Textile industry, 306
Thailand, parliament plans of, 163
(The) Theory of International Politics (Waltz), 273
(The) Third Annual Grotius Lecture: Just War and Humanitarian Intervention, 1–12
Third Restatement of the Foreign Relations Law of the United States, 196–7
Third World, Internet as mobilizer for, 174
Thurgood Marshall School of Law, 191
Tobacco, impact on public health, 69
Tolofson v. Jensen, 293
Tort law, for human rights violations, 48–9
Torture Victims Protection Act, 45
Trade: economic sanctions of Afghanistan, 23–7; indigenous peoples and, 144–5; international agreements and federalism, 52–7
Trade Act (1974), 55
Trade-Related Aspects of Intellectual Property Agreement (TRIPS), 146, 161
Trade treaties, conflict with environment treaties, 184
Transnational bargaining agreements, 307
Transnational law, compared to international law, 29
Transportation law, on agenda for CIDIP-VI, 289–90
Treaties. *See also individual names*: bilateral investment treaties, 198–2; conflict in colonial times, 107–11; conflict of, 183–7; regarding intellectual property, 175
(A) Treatise of Affairs Maritime and of Commerce (Molloy), 101–2
Treaty of Peace (1783), 107–8, 203
Treaty of Peace, with Japan, 118
Treaty of Westphalia (1648), signalled modern state-system in Europe, 100
Treaty of Whitehall, 103
Tribunal de Grande Assistance de Paris, 178
Tribunals. *See also individual names*: for boundary disputes, 128; treaty conflict and, 183–7
Trieste, territorial administration of, 259–60
Tuberculosis, 67
Tunisia/Libya Continental Shelf case, 125
Turkey: ethnomedical publications in, 157; human rights cases in, 80–1

Ukraine, involvement in Holocaust claims resolution, 39
United Nations: augmentation of, 164–5; Conference on Environment and Development (Earth Summit), 143; Convention on Biological Diversity, 145; Convention on Law of the Sea, 136, 268–9; Convention on the Recognition and Enforcement of Arbitral Awards, 32 (*see also* New York Convention); *HIV/AIDS and Human Rights: International Guidelines,* 66–7; indigenous peoples, 147–8; inter-American system for

human rights, 75–9; Inter-Parliamentary Union and, 163; Middle East conflict and, 90–91; organization of, 168; petitioning the, 82–6; Relationship Agreement with World Bank, 238–9, 250; rule of law promoted by, 263; Study on the Protection of the Heritage of Indigenous People, 146–7; territorial administration by, 251–61; treaty system, 71–5; Web site and database of, 266; Working Group on Indigenous Populations, 151
Commission on International Trade Law, 208, 290
Conference on Trade and Development, 198–9, 304–5
Economic and Social Council, 72, 82
Educational, Scientific, and Cultural Organization, 68, 145
General Assembly: fairness discourse of, 168–9; KARAT Coalition at, 302–4; Millennium Report, 226, 265
Human Rights Commission, 43–4
Interim Administration Mission in Kosovo, 243–4, 251–2, 255–8
Secretary General: on Fourth World Conference on Women, 301; on humanitarian intervention, 226; "Priorities for Post-Conflict Peace-Building" report, 280
Security Council: economic sanctions by, 23–7; military action in Kosovo, 225; peacekeeping mandates, 233–4
Transitional Administration in East Timor (UNTAET), 136, 149, 251–2, 255–8
United States: discovery, in the Assistance of Foreign Proceedings, 28; Foreign Direct Investment inflows to, 199; Foreign Sovereign Immunities Act, 45–6; Hamilton's influence on Constitution, 107–11; historical perspective of international law, 99–106; media portrayal of Grenada invasion, 216; nuclear weapon policy and, 164; *Pinochet* case reaction, 139; policy on Afghanistan, 304; position on Rwandan leadership, 282; refugees seeking asylum, 191; response to crises, 220; role in Holocaust claims resolution, 37–41; role in World Bank, 236; sovereignty of, 267–8; spy plane in China incident, 271; state governments participating at international level, 50–7; WTO dispute settlement process, 149
Centers for Disease Control and Prevention, 63
Civil War, 106, 112–15
Congress: child pornography regulation by, 179–80; Commerce Clause, 52; foreign trade regulated by, 54–5
Constitution: Hamilton's influence on, 107–11; states compliance with international trade agreements, 52–3; Supremacy Clause, 203
Department of Defense, 181
Department of State, 51; media and, 218; role in Holocaust claims resolution, 38–41; secretaries of state at ASIL meetings, 16–17; supported Dayton peace process in Brčko, 230
Institute of Medicine, 64
National Institutes of Health, 155
Patent and Trademark Office, 154–61
Supreme Court. *See also individual names of justices*: Commerce Clause, 52; free speech protected by, 179
Universities. *See individual names*
Unocal. *See Doe v. Unocal Corp.*
Uruguay, role in CIDIP-VI, 290
Uruguay Round agreements, 52, 53, 209
U.S. v. Friedrich Flick, 48

U.S. v. Nixon, 30
(The) U.S. Lawyer-Statesman at Times of Crisis: A Look at Colonial American, 99–106
(The) U.S. Lawyer-Statesman at Times of Crisis (Panel Discussion), 107–21
Uvin, Peter, Aiding Violence? The Development Enterprise and Ethno-National Conflict, 280–7

Velasquez Rodríguez case, 78
Versailles Peace Treaty, 35, 259–60
Vienna Convention: on Consular Relations, 51; Law of Treaties, 184–5
Vietnam, Acheson's role in, 118
Villager, Mark E., The European Court of Human Rights, 79–82
Villanova University School of Law, 188–9
(The) Visible College of International Law: "Towards the Rule of Law in International Relations," 262–70
Vuolanne v. Finland, 84

Walker, Janet, Recent Developments in International Tort Law in the British Commonwealth of Nations—Comment, 294
Walker, John, judicial views of, 28–34
Waltz, Kenneth, "neorealism," theory of, 273
Ware v. Hylton, 204
Wars. *See also individual names of conflicts*: among belligerents, 103–4; of colonial period, 101, 103; Lieber Code, 112–15; "prizes" of, 102
Washington, George, role in Jay Treaty, 203, 204
Washington College of Law, 190–1
Waste Management Tribunal, 208–9
Watergate case, 30
Watson, Geoffrey R., *Rems.*, 87–8
West Virginia, GPA compliance by, 54
Wiessner, Siegfried, Intellectual Property and Indigenous Peoples: An Overview, 151–3
Wilde, Ralph, The Complex Role of the Legal Adviser when International Organizations Administer Territory, 251–8
Wilson, Woodrow, opinion of Root, 116
Wippman, David, 23
Wiwa v. Royal Dutch Petroleum Company, 43–5
Women's rights. *See also* human rights: CEDAW, 74, 301; economic sanctions on Afghanistan, 23; female genital mutilation issue, 67, 191; feminist perspective on, 24–5; International Women's Human Rights Clinic, 192–3; NGO participation in Eastern Europe, 300–4; rape, 98; reproductive and sexual health, 67; UN human rights system, 74; violence and, 68–9
Wong v. Wei, 294
Working Group on Emerging and Re-emerging Infectious Diseases (CISET Working Group), 62
World Bank: in conflict-afflicted areas, 240–5; creation of, 118; global database of indigenous knowledge, 144–5; governance of, 237; in Kosovo, 240, 243–5; operational policies of, 242–3; and other actors in postconflict situations, 239; in postconflict situations, 236–40; in pre-conflict situations, 239; reconstruction

following World War II, 241–3; Relationship Agreement with United Nations, 238–9, 250
World Health Organization: emerging infectious diseases, 62; on international health challenge, 63; on tobacco-related illness, 69
World Intellectual Property Organization, 173, 175, 176
World Trade Organization (WTO), 13, 52; Appellate Body, 129, 133, 209; case law availability on Internet, 174; Dispute Resolution Understanding, 186; dispute settlement case procedure, 200; GATT and, 278; on generic drugs for AIDS epidemic, 64; indigenous peoples, 147–8; legislative function of, 133–4; prohibits restrictions on trade, 184; Seattle demonstrations against, 165; third-party submissions, 148
World War I, territorial administration following, 259–60
World War II: International Military Tribunal, 35; role of United States in Holocaust claims, 37–41; World Bank's role in reconstruction, 241–3

Yahoo case, 178-80
Yale Law School, 27
Yemen: arbitration with Eritrea, 13; boundary dispute involving, 124; *Eritrea/Yemen* boundary arbitration, 125

Zayas, Alfred de, Petitioning the United Nations, 82–6